

Serial No.: 10/759,677  
ST00001C1 (217-US-C1)

### **REMARKS**

Claims 1-15 are still pending in the present application after Applicant has amended the claims. Applicant believes that no new matter has been added in the new claims.

### **Response to 35 U.S.C. §112 6<sup>th</sup> Paragraph**

Claims 10-12 are interpreted by the Examiner as invoking 35 USC 112 6<sup>th</sup> paragraph. Applicant acknowledges such interpretation.

### **Claim Objections**

Claims 3, 4, 8, 9, 11, 12, 14, and 15 are objected to because “chips” should be inserted after “512” or “511”. Applicant has amended claims 3, 4, 8, 9, 11, 12, 14, and 15 to address the Examiner’s objections and now believes the claims to be in condition for allowance.

### **Response to 35 U.S.C §102 Rejections**

The Examiner rejects claim 1-4 and 7-15 under 35 U.S.C. §102(b) as being anticipated by Bloebaum (PCT WO 00/10028 A1) and 35 U.S.C. §102(e) as being anticipated by Bloebaum (US 6,204,808 hereafter the ‘808 patent). Bloebaum (PCT) and Bloebaum (US) contain the same language relied on by the Examiner and Applicant will address them concurrently in the following remarks.

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The Examiner relies on Column 16, lines 60-67 of the '808 patent for support of a clock with an error of less than 0.5 ms relative to a GPS time. Applicant has amended the independent claims to require "a local clock having an error of less than 0.5 ms relative to a GPS time."

Column 16, lines 60-67 of Bloebaum recite:

"If necessary, after finding the phase of the 1023-chip code, perform bit synchronization to resolve the interger-millisecond ambiguity in the bit timing. This produces a refined bit-phase estimate... Bit synchronization is not necessary if the location-error and clock-bias terms in equation (4) are in total less than 0.5 ms, and in this case the bit-phase estimate can be derived directly from the code phase."

Bloebaum describes the GPS-MS's derived time-base at the time of measurements at column 18, lines 4-18 as: "The measurement time,  $t_m$ , is encoded by  $FN_m$  and  $TN_m$  requiring 25 bits. This representation gives 0.56-ms resolution for the time of measurement." Therefore the time measurement is only at .56ms resolution in the '808 patent and Applicant claims .5ms.

In more general terms, the '808 patent describes and teaches using an assisted signal in addition to a GPS signal to determine location in a cellular network. The method of location determination of the '808 patent would be in operable without having the assisted term in the simultaneous equations, unlike the simultaneous equations used by Applicant. Furthermore, the '808 patent also describes multiple time signals supplied by the GPS network and the telecommunication network. Applicant only claims a local clock.

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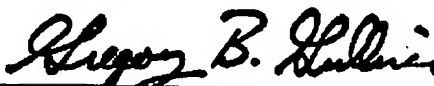
**Response to 35 U.S.C. §103 Rejection**

The Examiner rejected claims 5 and 6 under 35 U.S.C. §103 as being unpatentable over Bloebaum (PCT and US). Applicant submits that this rejection is now moot, because claim 5 and 6 now depend from allowable independent claim 1 and are in condition for allowance.

**Conclusion**

In view of the foregoing discussion and amendments, Applicant respectfully submits that claims 1-15, as now presented, are in a condition for allowance, which action is earnestly solicited.

Respectfully submitted,  
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